In re Application of: Ariel PELED et al   Examiner: GYORFI Thomas A.
Serial No.: 10/748,178   Group Art Unit: 2435
Filed: December 31, 2003   Attorney Docket: 27153
Office Action Mailing Date: May 11, 2010   Confirmation No.: 5563

REMARKS

Reconsideration of the above-identified Application in view of the amendments above and the remarks following is respectfully requested.

Claims 1-80, 107–130, 147 and 148 are in this Application. Claims 81-106 and 131-146 have previously been cancelled. Claim 62 is cancelled in the present response.

Claims 1-80, 107–130, 147 and 148 have been rejected under 35 U.S.C. §103.

Claims 1, 63, 73, 107, 110, and 130 have been amended herewith.

New claim 149 is added.

35 U.S.C. §103 Rejection

Claims 1-80, 109–130, 147 and 148 are rejected under 35 U.S.C. §103(a) as being obvious over Ginter et al. (US Patent No. 5,892,900), hereinafter "Ginter", in view of Gilmour (US Patent No. 6,205,472) hereinafter "Gilmour" or Ginter in view of Venners.

Claims 107-109 are rejected as being obvious in light of "Java Security: How to Install the Security Manager and Customize Your Security Policy" (hereinafter "Venners") in view of Gilmour.

Applicant respectfully traverses the rejection. However to expedite prosecution of the case, amendments were made to the independent claims to introduce the features of original claim 62, which is now cancelled without prejudice.

Specifically, the claims now recite the added feature that:

> "in the event of two or more conflicting policies being found, a strictest one of the policies is identified and used".

The Examiner, in rejecting claim 62, cites a passage from Ginter column 43 line 55 - column 44 line 15, but the passage specifies that the user can *only* set a method *that does not conflict* with any existing method.

Since Ginter sets up a situation in which the policies *cannot* conflict, it is clear that the skilled person considering Ginter has *no motivation* to try and solve the problem of what to do when policies *do contradict*.

Hence it would not be obvious for the skilled person considering Ginter to solve the problem in the way defined by the amended claim, that is by selecting the stricter of the two policies.

Furthermore, since in Ginter the policies cannot conflict *ab initio*, the skilled person starting with Ginter has *no motivation to search in other art* for a solution to the problem. That is to say the skilled person has no motivation to solve a problem that is *explicitly taught not to arise*.

Thus it is respectfully submitted that claim 1 is novel and inventive in the light of the cited prior art.

The same amendment has been made to each of the other independent claims, which are believed to be novel and inventive for the same reasons.

New claim 149 is added to specifically relate to the solution to the same problem provided by original claim 63. Namely that a union of the two policies is constructed and executed. No union of two policies is taught or suggested in Ginter but on the contrary a situation is created by Ginter in which no conflict between policies is possible. Thus claim 149 is likewise believed to be novel and inventive in light of the cited prior art.

In view of the above amendments and remarks it is respectfully submitted that claims 1-80, 107-130 and 147 - 149 are now in condition for allowance. A prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,

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Enclosures:
- Petition for Extension (One Month)